

## **ORDINANCE No.** 176292

\* Authorize a contract and provide for payment for construction of the SE Foster Rd/SE 162<sup>nd</sup> intersection Improvement Project. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. SE Foster Rd. from SE 122<sup>nd</sup> Ave. to SE Jenne Rd. is classified as a district collector, minor transit street, city bikeway and minor truck street.
2. Portland City Council adopted the Mt. Scott/Powell Butte Study in 1984, which recommended improvements on SE Foster Rd. east of 122<sup>nd</sup> Ave. to provide for expected additional traffic growth from the area.
3. The SE Foster Rd./162<sup>nd</sup> Ave. intersection experiences significant congestion and has a history of accidents including one fatality.
4. The Portland Office of Transportation, through a public involvement process with a Citizen's Advisory Committee from the Pleasant Valley Neighborhood Association, has developed a proposed improvement plan for the SE Foster Rd./SE 162<sup>nd</sup> Ave. intersection.
5. The Portland Office of Transportation has worked closely with federal and state resource agencies to design a project that meets the transportation needs while minimizing the impact to the natural environment and enhances fish habitat.
6. The Portland Office of Transportation is in the final stages of securing Corps of Engineers, Division of State Lands and Office of Planning and Development Review permits to enable the replacement of the culvert on Kelley Creek. The project will not begin until permits are secured.
7. Due to budget constraints, the bicycle and pedestrian facilities will be constructed at a later date. The design of the current project accommodates the bicycle and pedestrian facilities.
8. As part of the conditions to allow additional housing to occur on SE 162<sup>nd</sup> Ave. and SE McKinley Rd., development agreements #50936 through Ordinances #171507 and #51015 through Ordinance #170369 were created to partially fund improvements at the SE Foster Rd./SE Jenne Rd. and SE Foster Rd./SE 162<sup>nd</sup> Ave. intersections.
9. The Portland Office of Transportation secured a \$200,000 grant from the Oregon Watershed Enhancement Board to partially offset the cost of replacing the Kelley Creek Culvert.

10. The project is included in the current PDOT Budget for construction in FY 01-02.
11. The project conforms with the current Transportation Element of the City's Comprehensive Plan.
12. The Bureau of Purchases will advertise for bids and is prepared to execute a contract with the lowest responsible bidder.

NOW, THEREFORE, the Council directs:

- a. The Commissioner of Public Works and Auditor are authorized to execute a contract with the lowest responsible bidder for the project described in Section 1 hereof, in accordance with the plans and specifications on file with the Purchasing Agent.
- b. The Mayor and the Auditor are hereby authorized to draw and deliver warrants chargeable to the Bureau of Transportation Engineering and Development FY 01-02 budget when demand is presented and approved by the proper authorities.

Section 2. The Council declares that an emergency exists because delay in proceeding with the contract may result in in-stream work not being accomplished in the specified time frame to avoid impacts to endangered species and require postponement of needed safety improvements until next year; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, MAR 06 2002

Commissioner Charlie Hales  
Dan Layden/mpst  
February 26, 2002

[ORD.PMT]SE-FOSTER/162<sup>ND</sup>-CONSTRUCTION

**GARY BLACKMER**

Auditor of the City of Portland

BY /S/ SUSAN PARSONS

DEPUTY

BACKING SHEET INFORMATION

AGENDA NO. 211-2002

ORDINANCE/RESOLUTION/COUNCIL DOCUMENT NO. 176292

COMMISSIONERS VOTED AS FOLLOWS:		
	YEAS	NAYS
FRANCESCONI	X	
HALES	===	=====
SALTZMAN	X	
STEN	X	
KATZ	X	